

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

**SHINIKKA HICKS and KIERRA
CALLAWAY,**

Plaintiffs,

vs.

1715 NORTHSIDE DRIVE, INC., et al.,

Defendant.

Civil Action No. 1:22-cv-02189-ELR

DECLARATION OF MATTHEW W. HERRINGTON

I, Matthew W. Herrington, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I give this Declaration in support of Plaintiffs' Motion for Extension of Time to Serve Defendants 1715 Northside Drive, Inc., A-1 Entertainment, LLC, Veronica Enterprises, Inc. and 1271 Marietta Blvd., LLC.
2. I am a member of the State Bar of Georgia, in good standing, since October 2013.
3. I represent the Plaintiffs in this action, and I have personal knowledge of the facts stated herein and know them to be true.
4. On June 2, 2022, my firm engaged the services of Wiley D. Handley to effect personal service of process on Defendants.

5. I have reviewed a video memorializing a portion of the attempted service of process on Defendant Carmen Popovitch by Mr. Handley on June 6, 2022, at 1586 Peachtree Battle Ave., NW, Atlanta, GA 30327.
6. In the video, a female voice with a strong Eastern European accent is audible from behind the front door of the home.
7. I have previously deposed and examined Defendant Carmen Popovitch on multiple occasions in several other FLSA cases and I know her voice well.
8. Based on the video provided by Mr. Handley, I am certain that the voice yelling at Mr. Handley from behind the door is that of Defendant Carmen Popovitch.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 31, 2022

s/ Matthew W. Herrington

Matthew W. Herrington

Georgia Bar No. 275411